

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

R. ALEXANDER ACOSTA,  
SECRETARY OF LABOR, UNITED  
STATES DEPARTMENT OF LABOR,

Plaintiff.

v.

THE COUNTY OF  
NORTHUMBERLAND,  
PENNSYLVANIA,

Defendant.

No. 4:16-CV-00827

(Judge Brann)

**ORDER**

**AND NOW**, this 19<sup>th</sup> day of April 2018, in accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that Plaintiff's Motion for Partial Summary Judgment, ECF No. 24, is **GRANTED IN PART AND DENIED IN PART** as follows:

1. The Motion is **GRANTED** as to the Defendant's status as an "enterprise" under the Fair Labor Standards Act.
2. The Motion is **GRANTED** as to the Defendant's liability for failing to pay overtime to on-call workers for time spent on telephone calls and paperwork.
3. The Motion is **GRANTED** as to the Defendant's liability for failing to record time spent by on-call workers on telephone calls and paperwork.

4. The Motion is otherwise **DENIED**.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann

United States District Judge